IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1553 OF 2006
IN
APPEAL NO.260 OF 2006
IN
ARBITRATION PETITION NO.29 OF 2005

Maharashtra State Electricity Board & Anr. ..Appellants. (Orig.Respdnts.)

Vs.

Maharashtra Conductors Association (SSI) ..Respondent (Orig.Petnrs.)

Mr.Prashant Chavan i/b.M/s.Little & Co. for the Appellants.

Mr.D.H.Mehta with Mr.N.M.Shah for the Respondent.

CORAM: DR.S.RADHAKRISHNAN AND S.J.VAZIFDAR, JJ.

DATED: 2ND AUGUST, 2006

P.C. :

Heard the learned counsel for the Appellants and the learned counsel for the Respondent.

2. The above Appeal has already been admitted. We have perused the impugned order dated 27th September, 2005 passed by the learned Single Judge, wherein the last portion of paragraph 6, reads as under :

> "In my opinion, therefore, it cannot be said that the Award is satisfied and therefore, the petition is not maintainable. In the result therefore, the present petition succeeds and is allowed. The findings recorded and the Award made by the learned Arbitrator in the impugned Award against point no.8 is set aside. The Award made by the learned Arbitrator in so far as interest at the rate of 10% per annum for the period subsequent to 26.4.2001, is set aside. Similarly, the Award made against point no.11 by the learned Arbitrator is set aside. The respondent is directed to pay cost of this petition to the petitioner as incurred by the petitioner."

3. Perusal of the above paragraph very clearly indicates that there is no direction by the learned Single Judge directing the Appellant to pay any sum of money excepting costs. Under these circumstances, it is not necessary to grant any stay of the said order.

4. The Notice of Motion is therefore dismissed.

(DR.S.RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)